

REMARKS

In the outstanding office action claims 1-26 were presented for examination. Applicant notes with appreciation the indication of allowable subject matter in claims 4-9. Claims 1 and 10 were rejected under 35 U.S.C. §102(b) in view of United States Patent No. 4,280,328 issued to Falconer while claims 2-3 and 11-26 were rejected variously under 35 U.S.C. §103 over Falconer in view of United States Patent No. 4,478,039 issued to Horgan and United States Patent No. 3,846,637 issued to Gettinger.

Claims 1-3 have been canceled rendering the rejections with regard to the same as being moot.

Claim 4, which has been indicated as containing allowable subject matter, has been amended to include the limitations of the base claim and any intervening claims. Accordingly, applicants respectfully submit that the aforementioned amendments place claim 4 in a condition for allowance. Furthermore, no narrowing amendments have been made to claim 4 in the present amendment.

Claims 5-9 depend from claim 4 and are also believed to be in a condition for allowance for at least the same reasons in addition to including additional limitations. Claim 11 has been amended to depend from claim 4 and is therefore now believed to be in a condition for allowance. Claims 12-17 depend either directly or indirectly from claim 11 and thus, they are also believed to be in a condition for allowance for at least the same reasons in addition to including additional limitations.

Claims 10, 18, 19 and 21 have been amended to depend from claim 4. Therefore, claims 10, 18, 19 and 21 are now believed to be in a condition for allowance. Claim 20 depends from claim 19 thus; claim 19 is also believed to be in a condition for allowance.

Independent claim 22 has been amended to included the following limitations: "a third heat exchanger, said third heat exchanger being DP-310435

configured to receive an exhaust of said second heat exchanger, wherein said exhaust of said second heat exchanger is used to preheat a supply of water before it reaches said first heat exchanger”, which applicants respectfully submit now place claim 22 in a condition for allowance for at least the same reasons as claim 4. Claim 22 has also been amended to correct informalities to merely make explicit what was implicit in the claim as well as provide clarity with respect to the added limitations.

Claim 23-25 depend from claim 22 and therefore are also believed to be in a condition for allowance for at least the same reasons in addition to including additional limitations.

Independent claim 26 has been amended to included the following limitations: “preheating water supplied to said first heat exchanger by providing a third heat exchanger, said third heat exchanger being configured to receive a heat exhaust of said second heat exchanger and said third heat exchanger is configured to heat water prior to is being supplied to said first heat exchanger”, which applicants respectfully submit now place claim 26 in a condition for allowance for at least the same reasons as claim 4. Claim 26 has also been amended to correct informalities to merely make explicit what was implicit in the claim as well as provide clarity with respect to the added limitations.

In view of the above amendments and the discussion relating thereto, it is respectfully submitted that the present application is in condition for allowance. Such action is most earnestly solicited. If for any reason the Examiner feels that consultation with Applicants’ attorney would be helpful in the advancement of the prosecution, he is invited to call the telephone number below for an interview.

If there are any charges due with respect to this Amendment or otherwise, please charge them to Deposit Account No. 50-0831.

Respectfully submitted,

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